

REMARKS

The present amendment is submitted in response to the Office Action dated January 9, 2006, which set a three-month period for response. Filed herewith is a Request for a Three-month Extension of Time, making this amendment due by July 9, 2006, a Sunday, or by Monday, July 10, 2006.

Claims 1-21 are pending in this application.

In the Office Action, the disclosure and claims 9, 11 and 15 were objected to for various informalities. Claims 6 and 18-19 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 18 and 19 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,346,758 to Nakamura. Claims 1-3, 5-13, and 15-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0020357 to Harada et al in view of Nakamura. Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Harada in view of Nakamura, further in view of U.S. Patent No. 6,774,511 to Chochoy et al. Claim 14 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Harada in view of U.S. Patent No. 4,940,913 to Fritzsche.

In the present amendment, the specification has been amended to address the objections, to add standard headings, and to delete reference to the claims.

The claims were amended to address the objections and rejection under 35 U.S.C. 112, second paragraph. New claims 20-21 were added, which recite individually the narrower limitations of claim 6.

To more clearly define the present invention over the cited references, claim 1 was amended to recite that "the annular lamination packet (40) is plastically deformed in the axial direction (a) at least in parts to an outer circumference of the axial end surfaces (46)".

The cited references to Harada and Nakamura fail to disclose or suggest all of the features of the present invention as defined in amended claim 1.

Harada shows in Fig. 16 a "block-shaped lamination packet 45", which is formed from strip-like lamella (magnet steel sheets 46). According to Fig. 19c, paragraph 0118, this rectangular laminated body 45 is curved into an annular shape. This annular shape then has an axial direction a, which corresponds to a cylindrical axis z. This annular shape, therefore, has axial end surfaces, as can be clearly seen in Fig. 19c, for example.

However, Harada fails to disclose that in a subsequent step, the annular lamination packet is plastically deformed in the axial direction at least in part to an outer circumference of the axial end surfaces.

In Nakamura, for example, Figs. 5 and 6, as well as the figure for the abstract on the right side, show a deformation of the edges of each slit 21, which is also described in column 2, at line 40. As shown in Fig. 7, the corresponding edges are NOT disposed on the outer circumference of the lamination packet.

Therefore, amended claim 1 is neither anticipated by nor made obvious over the Harada and Nakamura references.

The advantage of these features, specifically, of deforming the lamination packet at least partly to the outer circumference of the axial end surfaces, is that

the elastic part of the deformation of the stator in the axial direction is reduced, before this stator is fixed between the bearing plates. The Applicants direct the Examiner's attention in this connection also to page 2, beginning at line 10, of the present application.

Claim 18 has been amended to adopt the same language added to claim 1, so that the above arguments with regard to claim 1 also apply to amended claim 18. While Nakamura shows plastic deformations, these are applied to the contours of the grooves and therefore, do not anticipate or make obvious deformations on the outer circumference of the end surfaces.

With regard to the Examiner's argument that claim 19 is anticipated by Nakamura, the Applicants respectfully disagree. The Examiner notes that the stator has a greater axial length at its inner diameter than at its outer diameter. Again, the Applicants respectfully disagree with this analysis.

With reference to Fig. 4, it cannot be determined which value the stator has at the inner diameter or also at the outer diameter. Fig. 4 is a section through a groove 21, which is defined by two teeth, which is not designated in further detail. Fig. 4 only shows a section through a specific position, which does not allow any conclusion as to the inner diameter or the outer diameter of the stator. The Applicants therefore disagree that Fig. 4 shows the features of claim 19.

In addition, Fig. 7 of Nakamura shows where the transformed "chamfers" 25 and 27 are arranged. As can be seen from Fig. 7, these are arranged about the groove and its edges. Fig. 7 also shows that the inner diameter, specifically,

the lowest line of the stator and the outer diameter, specifically, the uppermost, straight line of the stator, are both unmachined. Therefore, it cannot be concluded that at both points, specifically, at the inner diameter below and the outer diameter above, difference diameters exist. The argument against claim 19, therefore, is unfounded, and claim 19 is patentable over the Nakamura reference.

Because amended claim 1, as well as claims 18 and 19, include features that are not disclosed by the cited references, the rejections under Section 102 must be withdrawn, for the reasons set forth above. For a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in the prior art. *Motorola, Inc. v. Interdigital Tech. Corp.*, 43 USPQ 2d 1481, 1490 (Fed. Cir. 1997). Here, the cited references do not meet this standard.

For the reasons set forth above, the Applicants respectfully submit that claims 1-21 are patentable over the cited art. The Applicants further request withdrawal of the rejections under 35 U.S.C. 102 and 103 and reconsideration of the claims as herein amended.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

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